

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

## **ORDER ON MOTION**

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on June 29, 2006. There is a rebuttable presumption of detention in this case pursuant to 18 USC §3142(e).

I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that defendant represents a danger to the community. Defendant faces federal charges of conspiracy to distribute, distribution, and possession with the intent to distribute a substantial quantity of methamphetamine. He has acquired seven convictions since June 2001 (sodomy 2<sup>nd</sup>, contributing to the delinquency of a minor, negotiating a worthless negotiable instrument, promoting prison contraband, possession of a controlled substance, possession of drug paraphernalia, and violation of the community notification act), in addition to the charges before this court – despite the fact that he was incarcerated for part of that period. He has a history of probation violation in connection with his 2001 conviction for sodomy 2<sup>nd</sup>. The defendant agreed to cooperate with law enforcement in 2005; however, within a month of that agreement, he sold drugs to undercover agents. Based on the foregoing, the court concludes that there are no conditions or combination of conditions which will reasonably protect the community and that the

defendant should be detained.

Therefore, it is ORDERED that the defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE, this 5<sup>th</sup> day of July, 2006.

/s/ Susan Russ Walker  
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SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE